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7 Attorneys for Third-Party Defendant  
M S CONCRETE CO., INC.

8  
9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA  
11

12 AZURE MANOR/RANCHO DE PAZ  
HOMEOWNERS ASSOCIATION, a Nevada  
13 residential, common-interest planned  
community,

14 Plaintiff,

15 vs.

16 D.R. HORTON, INC., a Delaware  
17 corporation; U.S. HOME CORPORATION, a  
Delaware corporation; LENNAR  
18 CORPROATION, a Nevada corporation;  
LENNAR SALES CORP., a California  
19 corporation, and DOES 1-225, inclusive,

20 Defendants.

21 US HOME CORPORATION, a Delaware  
22 corporation,

23 Third Party Plaintiff,

24 vs.

25 AMERICAN ASPHALT & GRADING  
COMPANY, a Nevada corporation; M&M  
26 CONSTRUCTION, INC, a Nevada  
corporation; TERRA CONTRACTING, INC.,  
27 a Nevada corporation; NEVADA  
LANDSCAPE CORP., a Nevada corporation;  
28 MS CONCRETE CO., INC., a Nevada

CASE NO. 2:15-cv-01623-GMN-VCF

**STIPULATION AND ORDER FOR  
DISMISSAL OF M S CONCRETE CO.,  
INC. WITH PREJUDICE**

1 corporation; THE SYLVANIE COMPANIES,  
2 INC. dba DRAKE ASPHALT &  
3 CONCRETE, a Nevada company; C&H  
4 CONCRETE, LLC dba CORONADO  
5 CONCRETE, a Nevada limited liability  
6 company; NEW CREATION MASONRY,  
7 INC., a Nevada corporation; MSI  
8 LANDSCAPING, INC., a Nevada corporation  
9 fka MIST SYSTEMS INTERNATIONAL, a  
10 Nevada corporation,

11 Cross-Defendant.

12 **STIPULATION AND ORDER FOR DISMISSAL OF M S CONCRETE CO., INC.**  
13 **WITH PREJUDICE**

14 IT IS HEREBY STIPULATED AND AGREED to by Defendants/Third-Party Plaintiffs,  
15 US HOME CORPORATION, LENNAR CORPORATION and LENNAR SALES  
16 CORPORATION, and Third-Party Defendant, M S CONCRETE CO., INC., by and through their  
17 respective counsel of record, that any and all claims among and between the above-named parties,  
18 be dismissed with prejudice, each party to bear their own fees and costs incurred herein.

19 IT IS SO STIPULATED.

20 PAYNE & FEARS LLP

21 LEWIS BRISBOIS BISGAARD & SMITH LLP

22 By: /s/ Sarah J. Odia

23 By: /s/ Steven L. Foremaster

24 GREGORY H. KING, ESQ.

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Attorneys for Defendants/

Attorneys for Third-Party Defendant

Third-Party Plaintiffs

M S CONCRETE CO., INC.

US HOME CORPORATION; LENNAR

CORPORATION and LENNAR SALES

CORPORATION

**ORDER**

UPON STIPULATION OF THE PARTIES, and good cause appearing, it is hereby:

ORDERED, ADJUDGED and DECREED that all claims between Defendants/Third-Party Plaintiffs, US HOME CORPORATION, LENNAR CORPORATION and LENNAR SALES CORPORATION, and Third-Party Defendant, M S CONCRETE CO., INC., be, and the same are, HEREBY DISMISSED with prejudice, each party to bear their own fees and costs incurred herein.

DATED this 7 day of October, 2016.

  
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U.S. DISTRICT COURT JUDGE

Respectfully Submitted By:

LEWIS BRISBOIS BISGAARD & SMITH LLP

/s/ Steven L. Foremaster

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